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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 KURTIS MONSCHKE,

7 Petitioner,

8 v.

9 JAMES N. CROSS and ELDON VAIL,

10 Respondents.

No. C11-5276 RBL/KLS

ORDER DIRECTING SUBSTITUTION OF
PARTY

11 Kurtis Monschke has filed a habeas petition under 28 U.S.C. § 2254. ECF No. 1. He is
12 in the legal custody of the Washington State Department of Corrections and is currently
13 incarcerated by the United States Bureau of Prisons pursuant to an agreement between the state
14 and federal government. ECF No. 25, at 1. He names his current custodian and the former
15 Secretary of the Washington State Department of Corrections as Respondents. ECF No. 1.

16 Bernie Warner has succeeded Eldon Vail as the Secretary of the Washington State
17 Department of Corrections. ECF No. 25, at 1. Thus, Bernie Warner should be substituted for
18 Eldon Vail in all further proceedings in this case. Fed. R. Civ. P. 25(d).

19 Accordingly, the Clerk of Court is directed to substitute Bernie Warner for Eldon Vail
20 as a Respondent in this action.

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22 **DATED** this 7th day of May, 2012.

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25 Karen L. Strombom
26 United States Magistrate Judge